IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.17429 of 1996

Dated: October 17, 2006

Between:

Ch. Chiranjevi, S/o. late Ramaswamy, aged about 48 years, Junior Assistant, CBM High School, Visakhapatnam.

… Petitioner

And

The Chairman and Correspondent, CBM High School, Vizag-533 001, and others.

… Respondents

Order:

This Writ Petition has been filed questioning the order of the first respondent dated 14-02-1996 terminating his services.

2. Petitioner, a Senior Assistant in the first respondent, CBM High School, was issued charge sheets dated 19-05-1994 and 12-07-1995 alleging various misconducts and his explanation was called for. An Enquiry Officer was appointed and basing on his report, the petitioner was terminated from service by the impugned order. It is stated that

challenging the same, the petitioner has filed an appeal before the Regional Joint Director of School Education, Kakinada, who by his order dated 21-03-1996 allowed the appeal. Against the same, the Management has carried the matter in appeal before the Government. The Government, by order dated 17-07-2003 issued in G.O.Ms.No.90 allowed the appeal preferred by the Management and set aside the order of the Regional Joint Director of School Education.

3. The impugned order of termination was set aside by the Regional Joint Director of School Education in the appeal filed by the petitioner and the same was further set aside by the Government, upholding the impugned order. Neither the order of the Regional Joint Director nor the order of the Government is the subject matter of this Writ Petition. If the petitioner is aggrieved, he has to challenge the order passed by the Government. Hence, the relief to quash the termination order cannot be granted at this stage.

4. The Writ Petition is accordingly dismissed, keeping it open to the petitioner to challenge the order passed by the Government. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

October 17, 2006
MRR